Courtney Clyburn Pope

Second Judicial Circuit Court, Seat 1

AMENDMENT TO Personal Data Questionnaire (PDQ)

PDQ was originally submitted on February 19, 2019

#### **Question 10**

Describe chronologically, since graduation from law school, your legal experience. Please include a list of all positions held in which you worked in a legal capacity. Describe the general character of your practice and divide it into periods with dates if its character has changed over the years. Please also describe the extent to which you were involved with the administrative and financial management of each of these entities, including management of trust accounts.

- (a) From August 2007 to December of 2009, I was employed as a Workers Compensation Associate at McAngus, Goudelock, and Courie LLC.
- (b) From January 2010 to March 2016, I was in private practice at my law firm Clyburn Pope & Price, LLC, where I was the managing partner. My primary area of practice was family law, and criminal defense. Additionally, I managed all aspects of the law practice to include financial management, hiring of personnel, and management of client trust accounts. I shared these duties in equal parts with my then law partner, Jason M. Price.
- (c) From March 2016 to the present time, I have been employed by the City of Aiken as the City Solicitor and the City of Aiken Staff Attorney. I prosecute all Municipal level charges. Additionally in my role as Staff Attorney, I review and negotiate various contracts on behalf of the City, handle all FOIA requests, handle tax litigation on behalf of the City, as well as write Orders for various Boards.

# [RESPONSE] I will be replacing my response to #10 with the following response:

- (a) From August 2007 to December of 2009, I was employed as a Workers Compensation Associate at McAngus, Goudelock, and Courie LLC. I was not involved with administrative or financial management with this law firm.
- (b) From January 2010 to March 2016, I was in private practice at my law firm Clyburn Pope & Price, LLC, where I was the managing partner. My primary area of practice was family law and criminal defense. I also drafted numerous wills, trusts, and prenuptial agreements. Workers Compensation was a minor area of practice as well as civil claims that included motor vehicle accidents and defamation. Further, I assisted my partner briefly in canine litigation. I managed all aspects of the law practice to include financial management, hiring of personnel, and management of client trust accounts. I shared these duties in equal parts with my then law partner, Jason M. Price.
- (c) From March 2016 to the present time, I have been employed by the City of Aiken as the City Solicitor and the City of Aiken Staff Attorney. I prosecute all Municipal level charges. As a part of my duties as Staff Attorney, I review and negotiate various contracts on behalf of the City, handle all Freedom of Information Act requests, handle tax litigation on behalf of the City, as well as write Orders for various Boards. Additionally, I work with department heads and the City manager to navigate through various legal issues concerning certain employee matters, contract matters, and policies. I am



one of the few solicitors in the state of South Carolina to attend all Administrative hearings on behalf of the municipality's police officers.

## Question 11 (b)

If you are a candidate for Circuit Court, please provide a brief written description of your experience in criminal matters, including any cases handled over the past five years and include a brief description of the issues involved. Further, please provide a brief written description of your experience in civil matters, including any cases handled over the past five years and include a brief description of the types of matters handled, issues involved, and procedural history. Please include information such as the primary areas in civil court in which you practice, whether you represent plaintiffs or defendants, or both. You may go back further than five years if you feel it would assist the Commission with its assessment of your experience. If you lack experience in an area, describe how your background and procedural knowledge has prepared you to preside over such matters as a Circuit Court Judge, or how you would compensate for your lack of experience in this area. Please also indicate the frequency of your appearances before a Circuit Court Judge within the past five years.

To summarize my experience, I have had the opportunity in my career to practice criminal defense for several years in private practice as well as serve as a City Solicitor for the City of Aiken. During my years as a private practitioner, I handled a variety criminal cases in Circuit Court. For example, I represented clients charged with Safecracking, Attempted Murder, Breaking and Entering, etc. During that time I handled all cases from beginning to end, handling motions for bond, motions to be relieved, motions for reconsideration, preliminary hearings, and other various types of motions. I implemented research skills to further educate myself as well as my clients. I have not conducted a trial in Circuit Court, admittedly, my clients' charges were either dismissed or a plea negotiation resolved my Circuit Court cases. My trial experience was limited at that time to Municipal Court. For that reason, when the opportunity arose, I took the position as City Solicitor and Staff Attorney to gain further trial experience. My experience over the last few years has been very valuable. I have conducted various types of criminal trials as a City Solicitor. My experience in Civil Court has been very limited. All of my personal injury cases were settled. I believe that most attorneys my age have not had the chance that more seasoned attorneys were given to gain a vast amount of trial experience in either criminal or civil court as many cases to resolve before a trial. I have a vast love of the law. It is my belief that through study and the use of mentors that I would prove to be an individual qualified to serve as Circuit Court Judge. During my tenure as a City Prosecutor, my appearance time before a Circuit Court judge has been very limited, however, I appear daily before several Municipal Court judges as a part of my current job function. I also appear before the Master in Equity to handle tax issues for the city.

#### [RESPONSE] I will be replacing my response to #10 with the following response:

To summarize my experience, I have had the opportunity in my career to practice criminal defense for several years in private practice as well as serve as a City Solicitor for the City of Aiken. During my years as a private practitioner, I handled a variety of criminal cases in Circuit Court. For example, I represented clients charged with Safecracking, Attempted Murder, Breaking and Entering, etc. During that time, I handled all cases from beginning to end, to include argument of motions for bond, motions to be relieved, motions for reconsideration, preliminary hearings, and other various types of motions. I implemented research skills to further educate myself as well as my clients. I have not conducted a trial

in Circuit Court. My clients' charges were either dismissed or a plea negotiation resolved my Circuit Court cases. My first chair trial experience has been limited to Municipal and Magistrate Court. For that reason, when the opportunity arose, I took the position as City Solicitor and Staff Attorney to gain further trial experience. My experience over the last few years has been very valuable. Often times, I am required to handle bench trials without notice or to argue motions with little to no time given. This is due to the fast paced nature of Municipal Court. I have conducted various types of criminal trials as a City Solicitor. With regard to civil court, all of my civil litigation settled successfully before a trial was necessary. While representing client in a defamation and harassment case, I had the opportunity to appear and argue several motions. I do not think that my experience as a young attorney is unique with regard to the opportunity to conduct a trial in either General Sessions or Common Pleas. I have a tremendous love of the law. It is my belief that through both study and the use of mentors that I would prove to be an individual whom is well qualified to serve as Circuit Court Judge. In my career, I have had the opportunity to argue before the Workers Compensation Commission, appear in Probate Court, Family Court, Administrative Law Court, General Sessions, and in Common Pleas. I have argued before the Master in Equity as well as resolve tax issues and various governmental issues. I believe that this diversified experience would only help to enrich the Circuit Court.

#### **Question 26**

List all bar associations and professional organizations of which you are a member and give the titles and dates of any offices you have held in such groups.

- (a) SC Bar Association
- (b) Aiken County Bar Association

# [SUPPLEMENTAL RESPONSE] I will be supplementing my response to include the following information:

(c) Municipal Association of South Carolina

If more than one question needs to be amended, continue with the above format.

#### Question 34

Has a tax lien or other collection procedure ever been instituted against you by federal, state, or local authorities? Have you ever defaulted on a student loan? Have you ever filed for bankruptcy? If so, give details.

I have never filed for bankruptcy. I am not aware of defaulting on a student loan. In 2016, Wells Fargo instituted a collection for an outstanding credit card debt. The debt was paid and the suit was dismissed with prejudice in February of 2018. The credit card debt was attributed to medical bills for my special needs son.

## [SUPPLEMENTAL RESPONSE] I will be supplementing #34 with the following information:

During this process, I was made aware that a lien had been placed on my rental property at 30 Trice Court in Columbia on June 16, 2016. I was not ever given notice of the lien. My HOA fees were paid in full and the lien was discharged on July 14, 2016.

#### **Question 36**

Itemize (by amount, type, and date) all expenditures, other than those for travel and room and board, made by you, or on your behalf in furtherance of your candidacy for the position you seek. If you have spent over \$100, have you reported your expenditures to the House and Senate Ethics Committees?

To date, February 18, 2019, I have no expenditures made by myself or on my behalf in furtherance of my candidacy

## [RESPONSE] I will be replacing my response to #36 as follows:

Amount	Туре	Date
16.32	Name Badges	3/06/19
86.92	Stationary and Envelopes	3/7/19
76.67	Business Cards	3/1/19
66.41	Postcards	3/18/19

#### **Question 57**

List all civic, charitable, educational, social, and fraternal organizations of which you are or have been a member during the past five years and include any offices held in such a group, any professional honors, awards, or other forms of recognition received and not listed elsewhere.

- (a) Delta Sigma Theta, Incorporated
- (b) Aiken Chapter of the Links, Incorporated: Recording Secretary and Christmas Gala Committee Chairwoman
- (c) Cumberland A.M.E Church, YPDers youth leader (Young People's Department)

# [SUPPLEMENTAL RESPONSE] I am supplementing #57 with the following information:

- (d) Second Baptist Christian Preparatory School Board
- (e) Boys and Girls Club Board Member
- (f) University of South Carolina-Aiken's School of Nursing Advisory Board
- (g) Community Medical Clinic of Aiken County Board Member
- (h) Sky is the Limit Foundation Board Member

### **Question 58**

Provide any other information that may reflect positively or negatively on your candidacy, or which you believe should be disclosed in connection with consideration of you for nomination for the

position you seek. This information may include how your life experiences have affected or influenced the kind or type of judge you have been or plan to be.

I believe that my parents influenced and guided me to always act in accordance to the highest standard of morality. I credit making decisions based on what I think is the right thing to do vs what outside influences insist I do to both my mother and father. I have several strong figures whom have served as mentors and role models to me in the legal community. Those figures have guided me down a path of encouragement and initiative.

Public service is something that I have always been a part of from a young child to the adult that I am now. My husband and I have always tried to instill tolerance, the importance of education, and the value in being a good ethical person to our children. My hope is that I will be given the opportunity to serve a Circuit Court Judge. I believe in forgiveness but I also strongly believe in accountability. The opportunity to serve as a part of the SC Judiciary is one that I would not take lightly. It is the chance to make a difference and an impact in my community.

# [RESPONSE] I will be replacing my answer to #58 with the following:

I believe that my parents influenced and guided me to always act in accordance to the highest standard of morality. I credit the ability to make decisions based on what I think is the right thing to do versus what outside influences insist I do to them. I have several strong figures who have served as mentors and role models to me in the legal community. Those individuals have guided me down a path of encouragement and initiative. I believe that I possess both the integrity and the temperament necessary to be a Circuit Court Judge. During my law career, I have always held civility in and out of the courtroom in the highest regard. This too, I attribute to the strong Christian values that my parents instilled in me. Further, having a diverse legal career has implemented me with a more comprehensive viewpoint of legal proceedings and transactions.

Public service is something that I have always been a part of from a young child to the adult that I am now. My husband and I have always tried to teach tolerance, the importance of education, and the value in being a good ethical person to our children. My hope is that I will be given the opportunity to serve a Circuit Court Judge. The opportunity to serve as a part of the SC Judiciary is one that I would not take lightly. It is the chance to make a difference and a positive impact in my community.

March 20, 2019

If mailing, please provide your supplemental response to the following address:

Judicial Merit Selection Commission P.O. Box 142 Columbia, SC 29202